

# Exhibit D

TRIAL DAY 19, AUGUST 24, 2018 P.M. SESSION

WEIRICK, et al. vs. BRENNTAG NORTH AMERICA, INC., et al.

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

DEPARTMENT NE-P

HON. MARGARET L. OLDENDORF, JUDGE

CAROLYN WEIRICK, ET AL.,

PLAINTIFFS,

VS.

BRENNTAG NORTH AMERICA, INC., ET  
AL.,

DEFENDANTS.

)  
) CASE NO. BC656425

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**Certified Transcript**

TRIAL DAY 19 - P.M. SESSION

REPORTER'S TRANSCRIPT OF PROCEEDINGS

AUGUST 24, 2018

**APPEARANCES:**

**FOR THE PLAINTIFFS:** SIMON GREENSTONE PANATIER

BY: JAY STUEMKE, ESQ.

1201 ELM STREET, SUITE 3400

DALLAS, TEXAS 75270

SIMON GREENSTONE PANATIER

BY: JORDAN BLUMENFELD-JAMES, ESQ.

3780 KILROY AIRPORT WAY, SUITE 540

LONG BEACH, CALIFORNIA 90806

(APPEARANCES CONTINUED NEXT PAGE)

REPORTED BY:

DEBORAH MORIN, CSR NO. 11558

OFFICIAL REPORTER PRO TEMPORE

1 Q AND YOU SELECTED HIM?

2 A YES, SIR, I DID.

3 Q AND HE USED PLM?

4 A THAT'S WHY I HIRED HIM TO DO THAT, TO USE PLM  
5 AND XRD. SO I WOULD HOPE HE WOULD DO THAT BECAUSE THAT  
6 WAS THE INSTRUCTIONS, AND HE DID DO IT.

7 Q AND HE DIDN'T FIND ANY ASBESTOS IN  
8 MS. WEIRICK'S SAMPLE; CORRECT?

9 A NOT USING THE R-93 EPA METHOD OR THE XRD, NO.  
10 THAT'S THE PROBLEM WITH IT, OF COURSE.

11 Q AND IT'S TRUE, ISN'T IT, THAT YOU --  
12 MOTION TO STRIKE AFTER "NO."

13 THE COURT: OVERRULED.

14 BY MR. PARKER:

15 Q ISN'T IT TRUE -- WELL, LET ME JUST SAY THIS.  
16 IS IT YOUR OPINION THAT IF YOU USE THE PLM  
17 METHOD, YOU CANNOT FIND IN MS. WEIRICK'S SAMPLE ANY  
18 AMPHIBOLES AT ALL?

19 A THE R-93 METHOD YOU WILL NOT FIND IT, NO.

20 Q ISN'T IT TRUE, SIR, THAT THE REASON YOU DID  
21 NOT WANT TO USE THE PLM METHOD IS YOUR RELIANCE ON  
22 BLOUNT DESPITE DR. MILLETTE'S ARTICLE OF LEE POYE'S USE  
23 BECAUSE YOU KNEW YOU WERE NOT GOING TO FIND ASBESTOS IN  
24 MS. WEIRICK'S BOTTLE?

25 A NO. WE DIDN'T KNOW ANYTHING UNTIL WE DID THE  
26 TEM ANALYSIS. AFTER WE SAW THE TEM ANALYSIS, WE KNOW  
27 THOSE CONCENTRATIONS. THE PLM METHOD IS NOT APPROPRIATE  
28 TO DO AN EVALUATION FOR THESE TYPES OF PRODUCTS.

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7 VS. )

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AL., )9 DEFENDANTS. )  
10 \_\_\_\_\_ )

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12  
13  
14 I, DEBORAH MORIN, CSR NO. 11558, OFFICIAL REPORTER  
15 PRO TEMPORE OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA,  
16 FOR THE COUNTY OF LOS ANGELES, DO HEREBY CERTIFY THAT THE  
17 FOREGOING PAGES, 2861 THROUGH 2967, COMPRISE A FULL, TRUE AND  
18 CORRECT TRANSCRIPT OF THE PROCEEDINGS AND TESTIMONY TAKEN IN  
19 THE ABOVE-ENTITLED CAUSE ON AUGUST 24, 2018.

20 DATED THIS 25TH DAY OF AUGUST, 2018.

21  
22 *Deborah Morin*23 \_\_\_\_\_, CSR NO. 11558  
24 DEBORAH MORIN, OFFICIAL REPORTER